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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,462

09/20/2004

Bogdan Radu

MASL-57

5461

37690

7590

10/17/2006

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EXAMINER

MAKIYA, DAVID J

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/711,462

Applicant(s)

RADU ET AL.

Examiner

David J. Makiya

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-12 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/4/06, 9/6/06, 7/5/06, 7/5/06,
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Anderson, Jr. et al. (US Patent 6,464,381) in view of Hirotaka et al. (US Patent 5,013,967).

With respect to claim 1, Anderson, Jr. et al. teaches an automotive interior component for a passenger cabin of a vehicle, comprising a moldable body 20 adapted to be attached to a portion of the passenger cabin 10 and an electroluminescent lamp 12 integrally molded with the body to define a unitary assembly (Column 4, Lines 57-65). However, Anderson, Jr. et al. fails to explicitly teach the moldable body to be a polymer. Anderson, Jr. incorporates Hirotaka et al. (Column 1, Lines 55-58) as a background reference of the invention. Upon further examination, Hirotaka et al. teaches an electroluminescent lamp for an automotive interior component wherein the substrate can be made of multiple materials including polymers and fiberglass (Column 4, Lines 37-47). Because Anderson, Jr. admits the invention of Hirotaka et al. to be prior art, it would have been known that the substrate for an electroluminescent lamp could be made of a polymer.

### ***Allowable Subject Matter***

Claims 2-12 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 2 and 10, the pertinent prior art fails to teach or suggest an electroluminescent lamp integrally molded to a bolster engaging and illuminating a door trim panel or a method of making an automotive interior component by placing an electroluminescent lamp between mold sections, injecting a molten polymer resin through a gate to fill the mold, solidifying the resin and ejecting the automotive interior component.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

Applicant's arguments filed 8/9/2006 have been fully considered but they are not persuasive.

In response to applicant's arguments that there is no suggestion or motivation to modify Anderson, Jr. et al., Anderson, Jr. et al. incorporates the entire Hirotaka et al. reference as prior art knowledge. Hirotaka et al. teaches a substrate to be either fiberglass based or polymer based (Column 4, Lines 37-47) as long as the substrate "functions as a reinforcement member for the EL lamp and gives the EL lamp a mechanical strength" (Hirotaka et al.; Column 4, Lines 56-60). Because Anderson, Jr. et al. teaches all of the claim limitations, it will be used as a 35 USC 102(b) statutory bar without needing Fleming as a secondary reference.

***Terminal Disclaimer***

The terminal disclaimer filed on 8/9/2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 10/711,462 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zimmermann et al. (US Patent 6,517,226) teaches electroluminescent light sources fastened to the interior of a motor vehicle.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Makiya whose telephone number is (571) 272-2273. The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJM 10/10/2006



**JOHN ANTHONY WARD**  
**PRIMARY EXAMINER**